

### **REMARKS**

This amendment and these remarks are responsive to the Office action dated April 8, 2003. Claims 1-12 are pending in the application. In the Office action, the Examiner rejected claims 1-12 under U.S.C. § 103(a). Applicant respectfully traverses these rejections. However, claims 1-12 have been cancelled without prejudice, thereby rendering the rejections moot. In view of the amendments above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

#### **Objection to the Drawings**

The Examiner has objected to the drawings under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. Specifically, the concave and convex qualities of the side edges must be shown. Applicant would like to direct the Examiner's attention to Fig. 2, which clearly shows the side edges 21 and 22 having a portion near each handle having a convex curve and a portion between the two handles having a concave curve. Therefore, applicant believes these features of the claims are shown in the drawings. Further, with respect to the Examiner's request for clarification of the difference between the embodiment illustrated by Fig. 4 and Fig. 5, applicant would like confirm that the leading and trailing ends 7b and 7c have different dimensional characteristics. In Fig. 4, the curvature and shape of the ends 7b and 7c are the same. In Fig. 5, the curvature and shape of the ends 7b and 7c are different.

**Rejections under 35 USC § 103**

Claims 1, 3, 4, 7-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szabad, Jr., U.S. Pat. No. 4,850,913 in view of Wolf, U.S. Pat. No. 6,290,249. Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Szabad, Jr. in view of Wolf as applied to claim 1, and further in view of Spiers, U.S. Pat. No. D451,162. Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szabad, Jr. in view of Hunter, U.S. Pat. No. 5,096,217.

Szabad, Jr. discloses a sports board for sliding over water or snow having a c. Wolf discloses a snow gliding apparatus including an elongate member having an intermediate portion positioned between a pair of upturned end portions, the upturned end portions being either symmetrical or asymmetrical, and a bottom surface with a substantially planar bottom region configured to slide over snow. Spiers discloses a sliding device with a t-bar shaped handle. Hunter discloses a monoski with foot bindings, deep side cuts and a wide forward or shovel area.

With entry of the above amendment, claims 1-12 are cancelled without prejudice. New claim 13 is added. Claim 13 corresponds to claims 1, 2, 5, 7, and 9 of the original patent application. Accordingly, the Examiner's rejection of claims 1, 2, 5, 7, and 9 will be addressed.

As stated above, Szabad, Jr. discloses a sports board for sliding over water or snow having a soft foam core and a slick film on the bottom surface. As the Examiner expressly notes, Szabad, Jr. does not disclose that the sports board includes an intermediate portion

with a substantially planar bottom region, and two symmetrical or asymmetrical upturned end portions, and thus cites Wolf for this purpose.

As the Examiner expressly notes in regard to the rejection of claim 2, Szabad, Jr. does not disclose a handle on the sliding device. Wolf also does not disclose a handle on the sliding device. The Examiner thus cites Spiers for this purpose.

The Wolf and Spiers references relate to the sport equipment configured for a rider to stands on when riding. The handle disclosed by Spiers is upright, T-shaped and clearly intended for a rider standing on a sliding device. In contrast, the plurality of handles disclosed and claimed in the present application are mounted close to the top surface of the sliding device, as clearly shown in Figs. 1, 2, 4, and 5, and are intended for use by a kneeling, seated, prone, or supine rider as disclosed in the specification (page 2, lines 18-19 and 24-33). Moreover, the pending claim recites handles where “each of the two ends mounted to the upper surface of the elongate member with sufficient space for a gloved hand between the connecting piece and the upper surface of the elongate member.” Combining the disclosures of Szabad, Jr., Wolf, Speirs, and Hunter results in a sliding device having a soft foam core, a slick film on the bottom surface (Szabad, Jr.), an intermediate portion positioned between a pair of upturned end portions (Wolf), a t-bar shaped handle (Spiers), foot bindings, deep side cuts and a wide forward or shovel area (Hunter).

This combination does not disclose, teach or suggest applicant’s claimed invention. Furthermore, this combination teaches a standing rider. A standing rider, as disclosed by this combination, has little or no ability to place “a gloved hand between the connecting piece and the upper surface of the elongate member.” Therefore, the combination fails to render

applicant's claims obvious. Applicant disagrees with the Examiner's observation that an operator could manipulate the sliding device in a manner similar to the operation of a skateboard because the soft foam core would flex under the type of manipulation typically exerted on a skateboard.

Consequently, the combination of Wolf with Szabad, Jr. as applied to a sliding device as defined by the present application is awkward at best. The further combination with Spiers is counterintuitive in light of the specification. Moreover, the combination of Szabad with Hunter as applied to a sliding device as defined by the present application is also awkward at best, since Hunter describes a monoski for use while standing, and not a sliding device as defined in the present application. Finally, combination of Szabad, Jr., Wolf, Spiers, and Hunter together would clearly be improper.

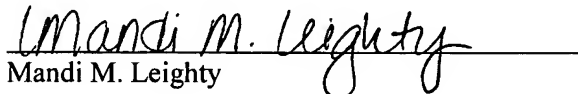
The above remarks are believed to address fully the Examiner's rejections, and to place claim 13 in condition for allowance. A prompt indication of the same is respectfully requested. The Examiner is encouraged to telephone the undersigned if any issues remain that may be resolved by a telephonic interview.

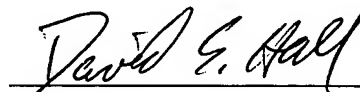
Respectfully submitted,

KOLISCH HARTWELL, P.C.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP: FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 8, 2003.

  
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